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Attorney Docket No. 4828-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Dario Toledo
Serial No. : 10/667,695 **Examiner :** HORTON, Y. M.
Filed : September 22, 2003 **Group Art Unit::** 3635
For : SECURABLE COVER APPARATUS FOR TRADE SHOW BOOTHS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that the attached:

1. Response to Notice under 37 CFR 1.121 (1 page);
2. Copy of the Notice;
3. Corrected drawings (13 sheets, Figs.1-24); and
4. Return Receipt Postcard.

(Along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date indicated below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted
GOTTLIEB, RACKMAN & REISMAN, P.C.

Dated: 10.16.2006

Zoya V. Chernina
Zoya V. Chernina

GOTTLIEB, RACKMAN & REISMAN, P.C.
270 Madison Avenue
New York, N.Y. 10016-0601
Phone: (212) 684-3900
Facsimile: (212) 684-3999



Attorney Docket No.: 4828-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Dario Toledo
Serial No. : 10/667,695 **Examiner :** HORTON, Y. M.
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P. O. Box 1450
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**RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT (37 CFR 1.121)**


Sir:

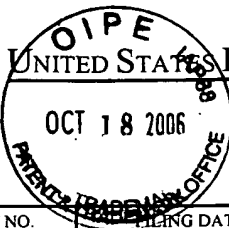
Attached herewith are thirteen (13) sheets of the drawings (Figs. 1-24) in response to the Notice of Non-Compliant Amendment under 37 CFR 1.121 issued in the above-identified application on May 11, 2006 (copy is attached), each sheet of the drawings being properly identified as "Replacement Sheet" in its top margin, as required by 37 C.F.R. 1.121 .

It is respectfully requested that these drawings be substituted for those filed with the Amendment document on July 28, 2006 and, further, on September 1, 2006, and that the Amendment be forwarded to the Examiner for further action.

Respectfully submitted
GOTTLIEB, RACKMAN & REISMAN, P.C.

Dated: 10/16/06

By: 
James Reisman
Attorney for Applicant
Reg. No. 22,007



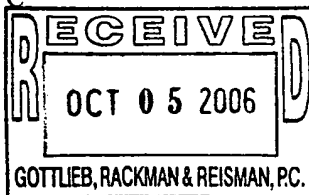
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,695	09/22/2003	Dario Toledo	2272/025	9243

22440 7590 09/29/2006

GOTTLIEB RACKMAN & REISMAN PC
270 MADISON AVENUE
8TH FLOOR
NEW YORK, NY 100160601



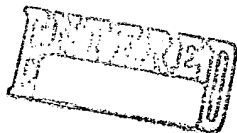
EXAMINER

HORTON, YVONNE MICHELE

ART UNIT PAPER NUMBER

3635

DATE MAILED: 09/29/2006



Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/667,695

Applicant(s)

DARIO TOLEDO

Examiner

YVONNE M. HORTON

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 9/1/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☒ C. Other LABEL DRAWINGS AS STATED ABOVE FOR DRAWINGS DATED 7/28/06 + 9/1/06.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Rule 1.121(d)



§ 1.121 Manner of making amendments in applications.

- (d) *Drawings*. One or more application drawings shall be amended in the following manner: Any changes to an application drawing must be in compliance with § 1.84 and must be submitted on a replacement sheet of drawings which shall be an attachment to the amendment document and, in the top margin, labeled “Replacement Sheet.” Any replacement sheet of drawings shall include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is amended. Any new sheet of drawings containing an additional figure must be labeled in the top margin as “New Sheet.” All changes to the drawings shall be explained, in detail, in either the drawing amendment or remarks section of the amendment paper.
- (1) A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be included. The marked-up copy must be clearly labeled as “Annotated Sheet” and must be presented in the amendment or remarks section that explains the change to the drawings.
- (2) A marked-up copy of any amended drawing figure, including annotations indicating the changes made, must be provided when required by the examiner.